

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,
v.

NOTICE OF MOTION

FRANK R. PARLATO, JR.,
Defendant.

Case No.: 15-cr-149(RJA)

S I R S :

PLEASE TAKE NOTICE, that upon the annexed declaration of Paul J. Cambria, Jr. the undersigned moves this Court for an Order adjourning defendant's sentence currently scheduled for July 20, 2023, for reasons set forth in the declaration annexed hereto and made a part hereof together with such other and further relief as to this Court may seem just and proper.

DATED: Buffalo, New York
July 11, 2023

Respectfully submitted,

/s/Paul J. Cambria, Jr.

PAUL J. CAMBRIA, JR., ESQ.
HERBERT L. GREENMAN, ESQ.
Attorneys for Defendant
FRANK PARLATO
42 Delaware Avenue
Buffalo, New York 14202
(716) 849-1333
pcambria@lglaw.com
hgreenman@lglaw.com

TO: MICHAEL DIGIACOMO, ESQ.
CHARLES KRULY, ESQ.
ASSISTANT UNITED STATES ATTORNEYS
138 Delaware Avenue
Buffalo, New York 14202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
v.
Plaintiff,

DECLARATION

FRANK R. PARLATO, JR., et al

Defendant.

Case No.: 15-cr-149(RJA)

STATE OF NEW YORK)
COUNTY OF ERIE)ss
CITY OF BUFFALO)

PAUL J. CAMBRIA, JR., ESQ., being an attorney admitted to practice law in this State and District, and subject to the penalties for perjury, does hereby declare the following to be true and correct:

- 1) I am an attorney at law with the law firm of Lipsitz Green Scime Cambria LLP; and I, along with Herbert L. Greenman, represent the defendant, FRANK PARLATO, herein.
- 2) Mr. Parlato's sentence is scheduled for July 20, 2023.
- 3) I respectfully request a brief adjournment of Mr. Parlato's sentence. My co-counsel, Mr. Greenman, has contacted the government, and government counsel has indicated that the government does not oppose a brief adjournment.
- 4) As this Court is aware, I am lead counsel for Michael Lacey in *United States v. Michael Lacey*, Dist. of Ariz. Case No. 18-CR-422. The trial in that matter is scheduled to begin on August 8, 2023. Prior to that date, there are several in-person pretrial matters, including a mandatory in-person matter scheduled for July 20, 2023, which means that I am not available

to be in this District on July 20, 2023 for Mr. Parlato's sentencing. For this reason, I respectfully request a brief adjournment of Mr. Parlato's sentencing.

5) I will be in this District and available to appear for Mr. Parlato's sentencing on July 18, 24 (except between 1:00-3:00), and 31. I will be moving to Arizona, where I will reside during the trial, no later than August 2, 2023.

6) WHEREFORE, your deponent prays that this Court issue an Order accordingly.

Executed on July 11, 2023, in Buffalo, New York

/s/Paul J. Cambria, Jr.

PAUL J. CAMBRIA, JR., ESQ.